

FILED

MAY 12 2021

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYSON WHITESIDE AND
ASHLEY KELLEY,

Defendants.

4:21CR00313 MTS/DDN

No.

INDICTMENT

The Grand Jury charges:

COUNT 1

(Use of a Counterfeit Access Device)

A. Introduction

1. Jennings Adult Detention Center is a city jail located in Jennings, Missouri within the Eastern District of Missouri. It serves as the holding facility for the Jennings Police Department and other law enforcement agencies within St. Louis County, Missouri.

2. Between January 8, 2021 and January 11, 2021, S.S. was detained in the Jennings Adult Detention Center pursuant to arrest warrants issued by the United States District Court for the Eastern District of Missouri.

3. The detention facility contracts with a private vendor to provide communication services to its detainees. The vendor screens individuals based upon the criteria provided by the detention center to honor the facility's security rules. To be approved to communicate with a detainee, applicants must electronically transmit their personal identifying information, a current photo, and an identification document to the vendor. Approved applicants can communicate detainees telephonically and by video when they sign an acknowledging that the communications will be recorded and that they will abide by the facilities rules.

4. Between January 9, 2021 and January 10, 2021, Defendant Bryson Whiteside used the name of D.R. as well as a counterfeit State of Illinois driver's license bearing the name of D.R. and his image to be approved to communicate with S.S. while he was being detained in the Jennings Adult Detention Center.

Use and Trafficking of a Counterfeit Access Device

5. On or about January 9, 2021, in the Eastern District of Missouri, defendant

BRYSON WHITESIDE,

in a matter affecting interstate commerce, did knowingly and with intent to defraud, used a counterfeit State of Illinois driver's license, as defined in subsection (e)(2), in that Defendant used a counterfeit driver's license bearing the name of D.R. as a means of identification in obtaining access to an individual being detained in a correctional facility located in the Eastern District of Missouri.

In violation of Title 18, United States Code, Sections 1029(a)(1) and 2.

COUNTS 2 THROUGH 4

(Identity Theft)

The allegations contained in paragraphs 1 through 4 of this Indictment are re-alleged and incorporated by reference as if fully set out herein.

Possession and Use of the Name of D.R.

6. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

BRYSON WHITESIDE,

in a matter affecting interstate commerce, knowingly transferred, possessed, and used, without lawful authority, the means of identification of another, that being the name of D.R. relative to a telephone call with S.S. at the times listed below, with the intent to commit, and in connection to the crimes of forgery in violation of Missouri Revised Statutes 570.090, and tampering with evidence, in violation of Title 18, United States Code, Section 1512(b)(1)(B),

<u>COUNT</u>	<u>DATE</u>	<u>IDENTITY</u>	<u>TIME OF CALL</u>
2	January 9, 2021	D.R.	12:30 p.m.
3	January 9, 2021	D.R.	3:33 p.m.
4	January 10, 2021	D.R.	5:23 p.m.

All in violation of Title 18, United States Code, Section 1028(a)(7) and 2.

COUNTS 5 THROUGH 7

(Aggravated Identity Theft)

The allegations contained in paragraphs 1 through 4 of this Indictment are re-alleged and incorporated by reference as if fully set out herein.

Possession and Use of the Name of D.R.

7. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

BRYSON WHITESIDE,

did knowingly possess and use, without lawful authority, the means of identification of another person, to wit, the name of D.R., during and in relation to the commission of the felony offenses of production of a false identification document, Title 18, United States Code, Section 1028(a)(1) and production, trafficking, and use of a counterfeit access device, Title 18, United States Code, Section 1029(a)(1), knowing that the means of identification belonged to an actual person, in that the defendant used the identity listed below in order to complete telephone calls with inmate S.S. in furtherance of the offenses alleged herein:

<u>COUNT</u>	<u>DATE</u>	<u>IDENTITY</u>	<u>TIME OF CALL</u>
5	January 9, 2021	D.R.	12:30 p.m.
6	January 9, 2021	D.R.	3:33 p.m.
7	January 10, 2021	D.R.	5:23 p.m.

All in violation of Title 18, United States Code, Section 1028A and 2.

COUNT 8

(Possession of Document-Making Implements)

Device-Making Equipment

8. On or about May 4, 2021, in the Eastern District of Missouri, the defendant,

ASHLEY KELLEY,

knowingly and with intent to defraud, had control and custody over, and possessed device-making equipment, to wit, an Acer Chrome Notebook, an ASUS Laptop, and a HP Laptop, said control and custody, and possession, affecting interstate and foreign commerce in that the equipment was used to produce counterfeit identification documents as if they had been issued by state governments and the federal government.

In violation of Title 18, United States Code, Sections 1028(a)(5) and 2.

COUNT 9

(Possession of Document-Making Implements)

Device-Making Equipment

9. On or about May 4, 2021, in the Eastern District of Missouri, the defendants,

BRYSON WHITESIDE AND ASHLEY KELLEY,

knowingly and with intent to defraud, had control and custody over, and possessed device-making equipment, to wit, an Apple MacBook Air, a Lenovo Laptop, a flash drive, and a scandisk, affecting interstate and foreign commerce in that the equipment was used to produce counterfeit

identification documents as if they had been issued by state governments and the federal government.

In violation of Title 18, United States Code, Sections 1028(a)(5) and 2.

COUNT 10

(Possessing Counterfeited Securities)

Counterfeited Security of NBKC Bank

10. On or about May 4, 2021, in the Eastern District of Missouri, the defendants,

BRYSON WHITESIDE AND ASHLEY KELLEY,

in a matter affecting interstate and foreign commerce, did knowingly make and possess a counterfeited security of NBKC Bank, affecting interstate and foreign commerce, that is, a check drawn on an account of BW Repairs Bryson Whiteside and made payable to Ashley Kelley bearing the routing number of NBKC Bank, with the intent to deceive NBKC Bank.

In violation of Title 18, United States Code, Section 513(a).

COUNT 11

(Possessing Counterfeited Securities)

Counterfeited Security of Chime Bancorp

11. On or about May 4, 2021, in the Eastern District of Missouri, the defendants,

BRYSON WHITESIDE AND ASHLEY KELLEY,

in a matter affecting interstate and foreign commerce, did knowingly make and possess a counterfeited security of Chime Bancorp, affecting interstate and foreign commerce, that is, a

check made payable to D.R. bearing the routing number of Chime Bancorp, with the intent to deceive Chime Bancorp.

In violation of Title 18, United States Code, Section 513(a).

COUNT 12

(Possession of Stolen Vehicle)

Stolen 2019 Toyota Corolla

12. On or about May 4, 2021, within the Eastern District of Missouri, the defendant,

BRYSON WHITESIDE,

did possess and conceal a stolen motor vehicle, that is, a 2019 Toyota Corolla with Vehicle Identification Number 5YFBURHE8KP936202, which vehicle had crossed a State boundary after being stolen, to wit, said vehicle was transported from the State of Kentucky to the State of Missouri, knowing the same to have been stolen.

In violation of Title 18, United States Code, Sections 2313 and 2.

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Sections 982(a)(2)(B), 1028(b), and 1029(c)(1)(C), upon conviction of an offense in violation of Title 18, United States Code, Sections 1028 and 1029, as set forth in Counts 1-4, 8 and 9, the defendants shall forfeit to the United States of America any property constituting, or derived from, proceeds the defendants obtained, directly or indirectly, as a result of such violation and any personal property used or intended to be used to

commit the offense.

2. Subject to forfeiture is a sum of money equal to the total value of the property constituting, or derived from, proceeds the defendants obtained directly or indirectly, as a result of the violations as charged in Counts 1-4, 8 and 9.

3. Pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 492, and Title 28, United States Code, Section 2461, upon conviction of an offense in violation of Title 18, United States Code, Sections 513, as set forth in Counts 10 and 11, the defendants shall forfeit to the United States of America any property, real or personal, which constitutes or is derived from proceeds traceable to such violations, and all counterfeits of any coins or obligations or other securities of the United States or of any foreign government, or any articles, devices, and other things made, possessed, or used in said offense, or any material or apparatus used or fitted or intended to be used, in the making of such counterfeits, articles, devices or things.

4. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, which constitutes or is derived from proceeds traceable to the violations charged in Counts 10 and 11.

5. Pursuant to Title 18, United States Code, Sections 982(a)(5), upon conviction of an offense in violation of Title 18, United States Code, Sections 2313 as set forth in Count 12, the defendants shall forfeit to the United States of America any property, real or personal, which represents or is traceable to the gross proceeds obtained, directly or indirectly, as a result of such violation.

6. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, which represents or is traceable to the gross proceeds obtained, directly or indirectly, as a result of the violation charged in Count 12.

7. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided

without difficulty,

the United States of America will be entitled to the forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL.

FOREPERSON

SAYLER A. FLEMING
United States Attorney

TRACY LYNN BERRY - 014753 TN
Assistant United States Attorney